



**MCI Communications
Corporation**

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November 2, 1999

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Magalie Roman Salas
Secretary, Room TW-A325
Federal Communications Commission
The Portals, 445 Twelfth Street, SW
Washington, DC 20554

Re: In the Matter of Implementation of the Telecommunications Act of 1996,
CC Docket No. 96-115; Telecommunications Carriers' Use Of Customer
Proprietary Network Information and Other Customer Information;
Implementation of the Non-Accounting Safeguards of Sections 271 and
272 Of the Communications Act of 1934, As Amended, CC Docket No. 96-
149

Dear Ms. Salas:

On November 1, 1999, MCI WorldCom filed its Petition for Further Reconsideration regarding the above-captioned matter, with a copy of an affidavit of Sherry Lichtenberg. Attached is the original signed affidavit of Sherry Lichtenberg.

Please acknowledge receipt by affixing an appropriate notation on the copy of the attached affidavit furnished for such purpose and remit same to the bearer.

Sincerely yours,

Don Sussman

Enclosure
DHS

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AFFIDAVIT OF SHERRY LICHTENBERG

1. My name is Sherry Lichtenberg and I am Senior Manager, Product Development for MCI WorldCom, Inc. My duties include designing, managing, and implementing MCI WorldCom's provision of local telecommunications services to residential customers on a mass market basis in New York and nationwide, including operations support systems ("OSS") and facilities testing. My team is responsible for third party testing, market entry analysis, initial customer trials, and sales and support process development for all local entry opportunities throughout the country. I have testified on these issues at the New York State Public Service Commission hearings on 271 matters, at the Pennsylvania "Global" hearings, at the Bell Atlantic - GTE merger hearings in Virginia, and have participated in discussions with a variety of state commissions, the Federal Communications Commission and the Department of Justice. I have 18 years of experience in the telecommunications industry, including 3 years with MCI WorldCom and 15 years with AT&T. I have been directly involved in all aspects of local customer sales, support, and care at MCI WorldCom since our initial decision to enter the New York local market.
2. The purpose of this declaration is to explain MCI WorldCom's experience in working with CPNI issues as we have entered the New York market. CPNI regulations have presented substantial challenges to the company, and in some respects appear to conflict with customer expectations about information that the

customer wants us to have.

3. In response to regulatory activities and Bell Atlantic commitments in the New York market, MCI WorldCom decided to enter the market for residential customers by purchasing unbundled network element platform (UNE-P) service from Bell Atlantic. We viewed UNE-P as the only practical vehicle for addressing the mass market in New York quickly, and the combination of regulatory decisions made by the Federal Communications Commission and New York Public Service Commission made entry into the New York market a viable business for us.
4. MCI WorldCom launched local service in New York's LATA 132 in December 1998. MCI WorldCom expanded its local service to upstate New York in February 1999. The majority of our local sales are generated from outbound telemarketing calls because this is the only practical way for us to inform customers about the existence of competition while managing the less-than-commercial volumes of local sales that Bell Atlantic's systems were and are capable of supporting during 1999.
5. MCI WorldCom currently has over 160,000 customers in New York who are currently served or in the process of being provisioned. To achieve that success, we have participated in hundreds of thousands of marketing conversations with potential customers who we have contacted, or who have contacted us.
6. The vast majority of new MCI WorldCom residential local customers

want their new service to have exactly the same types of features and services as they had on their existing or former service. Based on sales reporting and monitoring of actual sales calls, I estimate that approximately two-thirds of customers want to keep their service exactly as it is with Bell Atlantic.

7. MCI WorldCom offers all of the features that Bell Atlantic offers, and to the same extent that Bell Atlantic does, with one exception. That exception is that we do not provide Bell Atlantic provisioned voice mail, due to regulatory rulings which make that feature unavailable to us. In the process of placing customer orders, however, we are not able to view customer service records to determine what features exist. It is my understanding that in order to view these records, MCI WorldCom would need to take the customer through a lengthy, detailed "long form" consent process. It is MCI WorldCom's business judgment that such long form consent would have a significantly adverse ability on a prospective customer's willingness to complete his or her order.

8. Because we do not obtain access to feature information, we do not accept "migrate as is" orders for UNE-P. Our inability to view feature information, and to know with specificity which features are installed for a customer, and in particular whether the customer subscribes to voice mail, mean that we cannot simply tell a customer that he or she will get exactly what they have today. Our practice is to place orders with a specified list of features that the customer tells us he or she wants during the sales call. We call this "migrate as specified".

9. In my experience, the majority of new MCI WorldCom residential local

customers are not able to accurately and completely describe all of their existing services and features. Furthermore, customers do not have in their possession any document that displays the feature information we need to place their local service order. This information is not available on the customer's bill, because the bill does not contain the customer service record codes necessary for MCI WorldCom to order the correct features.

10. During the course of the last year, I have found that customers expect that their new service provider has access to their existing or former CPNI, and especially the information needed to initiate their service. In addition, I have found that customers want MCI WorldCom to know the services, features, PICs, freezes and other aspects of how their existing local service is set up so that their order can be completed accurately and efficiently.
11. There are at least three types of problems that come from restrictions on CPNI availability during the ordering process. First, MCI WorldCom can place the order incorrectly, ordering the wrong version of Caller ID, for example, instead of the correct one. The customer will discover the error, contact us, and we will need to resubmit a new order to modify the feature to the customer's liking. This is frustrating and costly for the customer and carrier alike.
12. Second, a customer could request a feature but that feature is not available at his or her particular location due to limitations on the software resident in Bell Atlantic's serving office. In these cases, the incumbent will reject the order. The rejection then needs to be investigated and further communication to the customer

is required. Finally, a new order must be resubmitted. All of this takes time and interferes with the customer obtaining the service he or she wants with the carrier he or she has selected.

13. Finally, the absence of feature information prevents MCI WorldCom from initiating a "migrate as is" order, a method of ordering UNE-P that would, in theory, take only 48 hours to provision instead of 3 to 4 days. For example, if a customer orders Caller ID and Bell Atlantic knows that the customer is already receiving Caller ID as part of the existing service from Bell Atlantic, it can put the order through without delay. Without this knowledge, Bell Atlantic must investigate whether the local switch serving the customer can support Caller ID service. This process requires an additional 3 to 4 days, unnecessarily delaying the order's completion. This occurs frequently since Caller ID is the single most popular feature among New York customers.

14. Another popular service that presents significant challenges is voice mail. In New York, voice mail is not available as an unbundled network element, and MCI WorldCom does not provision it as part of UNE-P. If a customer forgets to tell us that he or she has voice mail, the customer will lose voice mail functionality without understanding that MCI WorldCom cannot provide it as part of this particular service arrangement. Customers perceive this as an error on the new entrant's part. We anticipate that our inability to screen for the problem and disclose it on the sales call will contribute to needless complaints about local service.

15. At the present time, MCI WorldCom understands that we are required to provide all four prongs of an oral consent, even on inbound calls. The fourth prong of the consent is to tell consumers that their failure to provide consent to view CPNI will not adversely affect their service. My experience is that on inbound calls, this warning is at best meaningless, and at worst, confusing. Customers have expressed no concern that their existing service might be affected if they decline to provide CPNI consent. In many cases, when the Commission-prescribed warning language is read to them, many customers indicate confusion about why we would feel the need to tell them that their service will not be affected if they say no.
16. This concludes my declaration on behalf of MCI WorldCom.

I declare under penalty of perjury under the laws of the United States of America
that the foregoing joint declaration on behalf of MCI WorldCom is true and correct to the
best of my knowledge and belief.

Sherry Lichtenberg 11-1-99
Sherry Lichtenberg